

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESUS ALVAREZ MEJIA,)
Plaintiff,) No. CV 1:05-0545-GMS
vs.)
CDC DIRECTOR, et al.,)
Defendants.)

)

ORDER

Plaintiff Jesus Alvarez Mejia, an inmate confined in the California Correctional Center in Susanville, California, filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. (Dkt. # 11.) Plaintiff alleges that Defendant D. Cano violated his constitutional rights by intentionally denying Plaintiff's request to be released from Administrative Segregation because he is a Mexican national and by depriving him of his ability to timely file legal documents. (*See id.*) Currently pending before the Court is Defendant's Motion for Summary Judgment, which was filed on April 6, 2009. (Dkt. # 33.) Local Rule 78-230(m) requires that Plaintiff file and serve an opposition to the granting of the motion "not more than eighteen (18) days, plus three (3) days for mailing or electronic service, after the date of service of the motion." As of May 29, 2009, Plaintiff has failed to either timely file an opposition or request an extension to do so. "Failure of the responding party to file opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions." L.R. 78-230(m).

1 Accordingly, **IT IS HEREBY ORDERED** that by **June 15, 2009**, Plaintiff shall file
2 either an opposition to Defendant's Motion for Summary Judgment (Dkt. # 33), or a statement
3 of non-opposition to the Motion.

4 DATED this 1st day of June, 2009.

H. Murray Sneed

G. Murray Snow
United States District Judge